

DECLARATION - USA PATENT APPLICATION

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **DISK DRIVE DATA PROTECTION USING CLUSTERS CONTAINING ERROR DETECTION SECTORS**; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Richard J. Biskup**

Inventor's signature *Richard J. Biskup*

Date 12/1/2000

Residence: **822 Haverhill Drive, Sunnyvale, California 94087**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of second inventor: **Brian R. Davis**

Inventor's signature



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Date

12-1-00

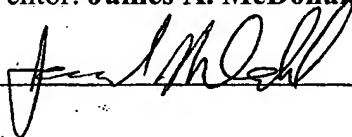
Residence: **1002 Tulip Drive, Sunnyvale, California 94086**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of third inventor: **James A. McDonald**

Inventor's signature



Date

12-1-00

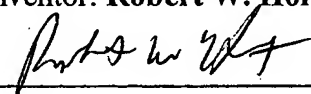
Residence: **940 Colonial Lane, Palo Alto, California 94304** *3 fm*

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of fourth inventor: **Robert W. Horst**

Inventor's signature



Date

12/1/00

Residence: **12386 Larchmont Avenue, Saratoga, California 95070**

Citizenship: **United States**

Post Office Address: **Same as Above**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

3WARE.010A
ROS/MDO



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UNITED STATES DEPARTMENT OF COMMERCE
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ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MARCH 06, 2001

PTAS
KNOBBE, MARTENS, OLSON & BEAR, LLP
RONALD J. SCHOENBAUM
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660



101563169A

NO DATES DOCKETED
ATTORNEY RESPONSIBLE
INITIAL: *me*

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/07/2000

REEL/FRAME: 011360/0740
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BISKUP, RICHARD J.

DOC DATE: 12/01/2000

ASSIGNOR:

DAVIS, BRIAN R.

DOC DATE: 12/01/2000

ASSIGNOR:

MCDONALD, JAMES A.

DOC DATE: 12/01/2000

ASSIGNOR:

HORST, ROBERT W.

DOC DATE: 12/01/2000

ASSIGNEE:

3WARE

490 CALIFORNIA AVENUE, 2ND FLOOR
PALO ALTO, CALIFORNIA 94306

SERIAL NUMBER: 09732244
PATENT NUMBER:

FILING DATE: 12/07/2000
ISSUE DATE:

011360/0740 PAGE 2

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MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

MRD 12-7-00

Client Code: 3WARE.010A

12-27-2000



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inal documents or copy thereof.

09/732244
12/07/00

TO THE ASSISTANT COMMISSIONER

1. Name of conveying parties: (If multiple assignors, list numerically)

1. Richard J. Biskup
2. Brian R. Davis
3. James A. McDonald
4. Robert W. Horst

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party:

Name: 3WARE

Street Address: 490 California Avenue, 2nd Floor

City: Palo Alto State: CA ZIP: 94306

Additional name(s) of receiving party(ies) attached?

☐ Yes ☒ No

09/732244

3. Nature of conveyance:

- ☒ Assignment
☐ Merger
☐ Security Agreement
☐ Change of Name
☐ Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above)

1. December 1, 2000
2. December 1, 2000
3. December 1, 2000
4. December 1, 2000

4. Application number:

☒ Application filed herewith

Execution Date: 1. December 1, 2000

2. December 1, 2000 3. December 1, 2000

4. December 1, 2000

☐ Patent Application No.:

Filing Date:

☐ Patent No.:

Issue Date:

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Ronald J. Schoenbaum
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

Internal Address: Sixteenth Floor

Street Address: 620 Newport Center Drive

City: Newport Beach State: CA ZIP: 92660

Attorney's Docket No.: 3WARE.010A

7. Total fee (37 CFR 3.41): \$40

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Alexander Franco

Name of Person Signing

Signature

Date

12/7/00

45,753

Registration No.

Total number of pages including cover sheet, attachments and document: 4

Mail documents to be recorded with required cover sheet information to:

12/27/2000 GTOM11 00000054 09732244

01 FC:581

40.00 OP

Assistant Commissioner for Patents

Box Assignments

Washington, D.C. 20231

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120400:llg

Application No.: Unknown
Filing Date: On Even Date Herewith

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PATENT
Client Code: 3WARE.010A
Page 1

ASSIGNMENT

WHEREAS, We, Richard J. Biskup, a United States citizen, residing at 822 Haverhill Drive, Sunnyvale, California 94087, Brian R. Davis, a United States citizen, residing at 1002 Tulip Drive, Sunnyvale, California 94086, James A. McDonald, a United States citizen, residing at 940 Colonial Lane, Palo Alto, California 94301, and Robert W. Horst, a United States citizen, residing at 12386 Larchmont Avenue, Saratoga, California 95070 have invented certain new and useful improvements in a DISK DRIVE DATA PROTECTION USING CLUSTERS CONTAINING ERROR DETECTION SECTORS for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, 3WARE (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 490 California Avenue, 2nd Floor, Palo Alto, California 94301, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000

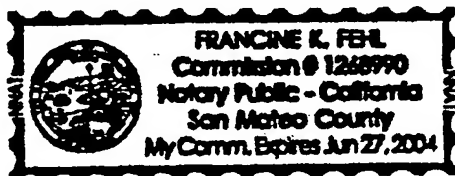
Richard J. Biskup
Richard J. Biskup

STATE OF CALIFORNIA }
COUNTY OF Santa Clara } ss.

On 12/1/00, before me, Francine K Fehl, personally appeared Richard J. Biskup personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Francine K Fehl
Notary Signature

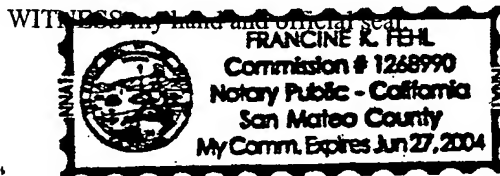
COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000

Brian R. Davis
Brian R. Davis

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } SS.

On 12/1/00, before me, Francine K Fehl, personally appeared Brian R. Davis personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



Francine K Fehl
Notary Signature

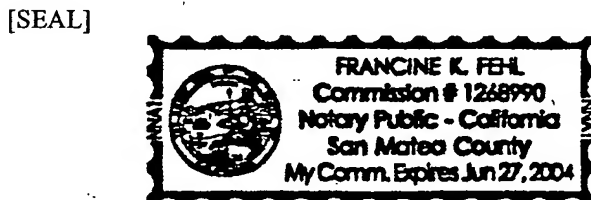
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of DECEMBER, 2000

James A. McDonald
James A. McDonald

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } SS.

On 12/1/00, before me, Francine K Fehl, personally appeared James A. McDonald personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Francine K Fehl
Notary Signature

Application No.: Unknown
Filing Date: On Even Date Herewith

COPY

PATENT
Client Code: 3WARE.010A
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000

Robert W. Horst
Robert W. Horst

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } SS.

On 12/1/00, before me, Francine K Fehl, personally appeared Robert W. Horst personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Francine K Fehl
Notary Signature

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3WARE.010A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Biskup, et al.)
)
App. No.	:	Unknown)
)
Filed	:	On Even Date Herewith)
)
For	:	DISK DRIVE DATA PROTECTION)
		USING CLUSTERS CONTAINING)
		ERROR DETECTION SECTORS)
)
Examiner	:	Unknown)
)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the Inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and

App. No. : Unk^own
Filed : On Even Date Herewith

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revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

3WARE

Dated: 12-1-00

By: 

Title: CTO

Address: 490 California Avenue, 2nd Floor
Palo Alto, CA 943046

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Application No.: Unknown
Filing Date: On Even Date Herewith

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PATENT
Client Code: 3WARE.010A
Page 1

ASSIGNMENT

WHEREAS, We, Richard J. Biskup, a United States citizen, residing at 822 Haverhill Drive, Sunnyvale, California 94087, Brian R. Davis, a United States citizen, residing at 1002 Tulip Drive, Sunnyvale, California 94086, James A. McDonald, a United States citizen, residing at 940 Colonial Lane, Palo Alto, California 94301, and Robert W. Horst, a United States citizen, residing at 12386 Larchmont Avenue, Saratoga, California 95070 have invented certain new and useful improvements in a DISK DRIVE DATA PROTECTION USING CLUSTERS CONTAINING ERROR DETECTION SECTORS for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, 3WARE (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 490 California Avenue, 2nd Floor, Palo Alto, California 94304, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000

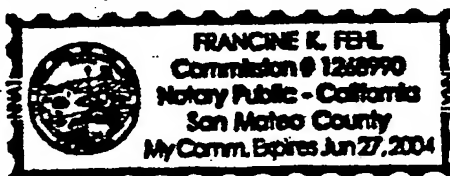
Richard J. Biskup
Richard J. Biskup

STATE OF CALIFORNIA }
COUNTY OF Santa Clara } ss.

On 12/1/00, before me, Francine K Fehl, personally appeared Richard J. Biskup personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Francine K Fehl
Notary Signature

Application No.: Unknown

Client Code: 3WARE.010A

Page 2

Filing Date: On Even Date Herewith

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000Brian R. Davis

Brian R. Davis

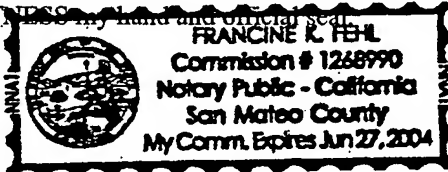
STATE OF CALIFORNIACOUNTY OF SANTA CLARA

SS.

On 12/1/00, before me, Francine K Fehl, personally appeared Brian R. Davis personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Francine K Fehl

Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of DECEMBER 2000James A. McDonald

James A. McDonald

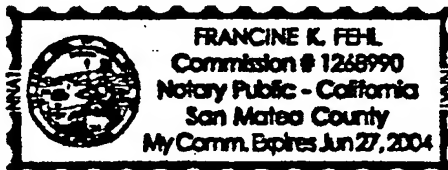
STATE OF CALIFORNIACOUNTY OF SANTA CLARA

SS.

On 12/1/00, before me, Francine K Fehl, personally appeared James A. McDonald personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Francine K Fehl

Notary Signature

Application No.: Unknown
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Client Code: 3WARE.010A
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1 day of December, 2000

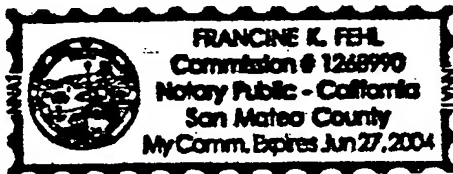
Robert W. Horst
Robert W. Horst

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On 12/1/00, before me, Francine K Fehl, personally appeared Robert W. Horst personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Francine K Fehl
Notary Signature